1890-037 Chancery Causes Rebecca S. Reese vs. Edward M. Reese
Lee Co.

Wells, Redwine, Parsons

CA-Divorce
T-Vices

To The Hon. H. S. K. Morison, Judge of the circuit court for Lee Co.

Humbly complaining, your oratrix Rebecca S. Ruse, would respectfully represent unto your honor:

That in the year 1878 she was intermarried with one Edward H. Ruse with whom she lived for about seven years, at which time she left him, because she had reason to believe and suspect that he was guilty of adulterous acts with other women. Your oratrix will confess that this marriage was never a happy one to her, because soon after her said marriage, the said Edward began to wander over the country, leaving your oratrix alone for days at a time to provide for and support herself, ~~and~~, and it was not long until he began to pilfer and steal, and when your oratrix would undertake to remonstrate with her said husband for such conduct, he would beat, illtreat and abuse her; and not only did he steal and abuse your oratrix, but finally he began to seek the company of notoriously bad women, and have carnal intercourse with them, so as aforesaid your oratrix left him, and has not lived or cohabited with him since. Your oratrix will state, that up to the time of her knowledge of his adulterous acts with other woman, notwithstanding his general tiffleness and illtreatment, she lived with him, and did all in her power to make their

home pleasant and him happy, hoping thereby to reclaim him from his wayward course and to see her first nuptial anticipations realized.

Your oratrix now alleges, avers and charges that the said Edward has kept the company and cohabited with other woman than your oratrix, within the last five years, and that, without the procurement and connivance of your oratrix. Your oratrix has never kind with or in any way condoned ~~the~~ his said offence or co-habited with him since she had knowledge of his adulterous acts. And this being true, your oratrix is advised that the said marriage by court of equity will be dissolved and your oratrix released from any and all marriage ties and its incidents. Your oratrix avers that she is now and ever since the time of her marriage has a citizen of this county & State.

Your oratrix will further represent unto your honor that the said Edward N. Rice is a non-resident of this State. Your honor perhaps will like to know why this relief has not been sooner sought; if so, she will do so, by informing your honor that heretofore she has been unable to employ the necessary counsel, on account of her poverty.

The premises considered your oratrix comes to your honor's court of chancery and humbly

to work as servant to five years

prays that your Honor take cognizance of her said wrongs and injuries, and grant her a decree, annulling, setting aside and vacating said marriage contract existing between your orator and the said Edward N. Rose, that is, your orator be decreed a divorce a vinculo matrimonii; that Edward N. Rose be made a party defendant to this bill of complaint and be required to fully, completely and perfectly answer the same on oath; that an order of publication be made against the said Edward as the law requires for non-resident defendants; and that such other further and general relief as the nature of her cause may demand be granted her. May Chaissus &c. And she will ever pray &c.

E. W. Pennington Sol. for.

E.M.P.

4. 10.00 Paid
~~6.00~~
comm for orp 2.00 } Paid
Tax 1.50
C.C. 5.93 } Paid
20.43
Pen 5.00 Paid
$25.43
$17.43

Rebecca S. Russ

vs } Bill for Divorce

Edward H. Russ

1890 1st Feby Rules Bill filed Sha not executed order Pub. & Contd.
" 2nd Feby Rules Contd
1 Mr. " Contd
2 Mr. Rule & order Pub Completed, & Cause set for hearing by Pltff.
" March Term Decree Final

80 to 90
R

Rebecca S. Ruse Complt.
vs. } In Chancery.
Edward N. Ruse Deft.

This cause came on this day to be heard upon the bill of the complt. and the depositions of witnesses: and it appearing to the court that ~~[illegible]~~ an order of publication has been made against said deft., and he still fails to appear, answer or plead, on consideration of all which and for reasons appearing to the court, it is adjudged, ordered and decreed that the bonds of matrimony heretofore existing between said plaintiff and deft. are hereby dissolved. It is further adjudged and decreed that said deft. be restrained and inhibited from again contracting marriage, and that said plaintiff recover from said deft. his costs in this suit and for the collection of which execution may issue. And this cause is stricken from the docket.

Rebecca S. Reeves

22 } Decree

Edward N. Reeves

Entered Chy
O.P. page 243,
March 31st 1890.
J. A. Hyatt

Entered
H.S.K.M.
Mar 31st 1890

To J. A. G. Hyatt
Jonesville
Va

Virginia, Wise Co., to wit:

The depositions of Solaman Wells, & Sarah E. Wells and others taken on the 19 day of Feb 1890, before me J. C. Bunn a Justice of Wise Co in and for the county and State aforesaid; at the residence of Solaman Wells in Wise County, Va, to be read as evidence in behalf of Rebecca S. Rose in a certain Chancery cause now pending in the circuit Court for Lee Co., Va, in which the said Rebecca S. Rose is plaintiff and Edward N. Rose is defendant.

Solaman Wells a witness of lawful age after being duly sworn deposes and saith:

Ques 1st by Plaintiff.

Are you acquainted with the defendant. Edward N. Rose? ~~I am~~

Ans I am

Ques. 2nd by same.

Can you state whither Edward N. Rose has been guilty of adultery; that is having sexual intercourse with other women than his wife, if so state when & where,

Ans. he Edmon. N. Rose came to My House in Aug 1888 & Brought a woman he clamed to be his lawful wife & Beded with her in my Room about 4 weeks when I found out

that he was not married to the woman
I objected to them sleping to gether he
went away with hur the woman Brought
a young child with hur which he claimed
to be his further more I sais not
Solomon Wells

ques. 3rd By Plaintiff
Did this circumstance you just
detail occur more than once?
Ans.
I Sarah E Wells wife of Solaman Well
Concur with the same Evidence of
my husband Solaman Wells

hur mark
Sarh E+ Wells
hur+ mark

Wise County to wit
~~that~~ I certify that Solaman Well & wife
has Personely appeard before me
J E Burn a justice of Wise County made
oath to the Evidence / whose name
is sined to this writings this the
19 day of Feb 1890
J. E. Burn J. P.

Rebecca S. Reese

vs

Edward M. Reese

Filed Feby 22nd 1870

J. H. Wyatt Clk.

Having been
recd through mail
in good Condition
from J. C. before
whom taken.

J. Wyatt

The Deposition of Samuel L. Redwine taken at the Clerk's office of the Circuit Court for Lee County Va. on the 10th March 1890 which when taken are intended to be read as evidence in the Chancery Cause now pending in Lee Circuit Court in which Rebecca S. Reese is Pltff and Edward R. Reese is Defendant.

Said Samuel L. Redwine a witness of lawful age being duly sworn deposes and says.

I am the brother of the Pltff in this suit and if she has lived as husband & wife with said Deft since they seperated I would have known it. She has lived in this State for the past five years before the beginning of this suit, and still resides in this County & State.

I have seen the Deft in bed and under the cover with other women than his wife, he informed me he had intercourse with said other women. I informed my sister of these acts, upon which and other information known to her she seperated from him and has not since lived

with him as her husband, none of these acts were known to or connived in by sister, at the time and before they were committed.

And further this witness saith not.

Samuel L. Kedwine

I, J. A. C. Hyatt Comr in Chancery for Lee Circuit Court do hereby certify that the foregoing deposition was taken before me, subscribed and sworn to by the witness at the time and place mentioned in the caption hereon under my hand this 10th March 1890.

J. A. C. Hyatt Comr

Deposition of Samuel L. Kedwine

Filed March 10th 1890

J. A. C. Hyatt Clk

Comr Fee $1.00

To Edward N Reese:--TAKE NOTICE, That on the 1st day of March, 1890 at the Circuit Court Clerk's Office of Lee Co., Va., I will proceed to take the deposition of J. N. Redwine, H. T. Parsons and S. L. Redwine, which, when taken, I intend to be read as evidence on my behalf in a certain suit in chancery now pending in the Circuit Court of Lee County, State of Virginia in which I am plaintiff and you are defendant.

And if from any cause the same be not commenced, or if commenced, be not concluded on that day, the taking thereof will be adjourned from time to time, and place to place, until completed. January 27, 1890.

Very Respectfully,

Rebecca S. Reese

The depositions of J. N. Redwine and H. T. Parsons pursuant to the annexed notice were taken before me J. A. G. Hyatt on the 1st day of March, 1890 at the Clerks office of the circuit court of Lee County, Va., to be read as evidence in behalf of Rebecca S. Reese in a certain chancery cause now pending in the circuit Court for Lee County, Va., in which the said Rebecca S. Reese is plaintiff and Edward N. Reese is defendant.

J. N. Redwine a witness of lawful age deposes and says after being duly sworn.

Ques. 1. Are you acquainted with the parties to this suit?

Ans. I am, Rebecca is my daughter.

Ques. 2. Please state, if you ever saw or know, Edward N. Reese do any thing that indicates his infidility towards his wife?

Ans. About 4 years ago, he came to my house in company with a woman (not his wife) which I was informed he claimed to be his wife, he demanded of me a son borned unto him by his true & lawful wife my daughter, I gave the boy up to him, but he left the boy in the course of 2 or 3 weeks on the charities of other people, and I went and got the

boy who now with his mother lives with me _ Rebecca S. Reese has been living with me for the past 3 years, and that during this time she has not had any communication in any with with her said husband, I have been in such condition to know that She has not cohabited with him, her said husband, since she has been living with me.

They were married some time in the year 1878, and any adulterous acts committed by said Edward A. Reese have been performed without any ~~knowledge~~, connivance or procurement of his wife. –

Ques. by same. What has been the financial condition of the said plaintiff, since the separation of said parties?

She has been in a very indigent condition, relying solely on me for her support and maintainance, but in return she is a neat and careful housekeeper and assists in such work about my premises.

And further this witness saith not.

J. N. Redwine

H. P. Parsons another witness of lawful age after being duly sworn deposes and says:

Ques 1st by Plaintiff

Are you acquainted with Rebecca S. & Edward N. Reese?

Ans - I know them.

Ques 2. Please state if you know of any adulterous acts, committed by Edward N. Reese, and if so when & where?

Ans - From one to two years ago the said Edward Reese came to my father's house in company with a woman whom he represented to be a wife which he married in Ky. and they slept together that night at my father's house, this woman whom he slept with was not Rebecca S Reese the plaintiff in this suit -

Ques. 3. Can you state whether this act of said Edward was by the procurement or connivance of the said plaintiff?

Ans - I do not know but I suppose she did not as she came along a few days afterwards and inquired if they slept together and on being told that they did she appeared quite angry and hurt in her feelings

And further more this deponent saitheth not.

H. T. Parsons.

The foregoing depositions were taken sworn to and subscribed to by the witnesses, before me at the time and place and for the purposes stated in the caption, given under my hand this 28th February 1890.

J. Alsdorf Clk.

Rebecca S. Reese
vs
Edward H. Reese

Taken and filed March 1st 1890
J. Alsdorf Clk.

Fee for Dep. $1.00

Virginia, Lee Co., to wit:

This is to certify that J. N. Redwine personally appeared before me in my County and State aforesaid and made oath that to the best of his knowledge and belief that Edward Reese is a non-resident of this State. Given under my hand this Jan - 27th 1890.

H. C. Joslyn J. P.

Rebecca S. Russ

vs. } Dr Chauncy Affidavit

Ed. N. Russ

Filed Jany 27th 1890

J. A. Sydgatt ©

Rebecca S. Redwine in Aug. 1878
married Edward H. Russ. They lived
together about 7 years and she
deserted him for adultery, She has
two children by him, In August
1889 Russ was at Big Stone Gap
with a woman and bedded with her
as his wife at Solomon Hells. And at
John Parsons some two years ago he slept
with a woman.

Rebecca S. Reese

vs } Memorandum

Edward N. Reese

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In the Clerk's Office of the Circuit Court of the County of Lee on the 27th day of Jan — 18 90.

Rebecca S. Reese	Plaintiff	In Chancery
against		
Edward N. Reese	Defendant	

The object of this suit is to obtain a divorce from the bonds of matrimony from the deft. And he will take notice that on the 19th of Feb 1890 at the residence of Solomon Theis in the County of Lee the plaintiff will take depositions of witnesses to prove the allegations of her bill

And an affidavit having been made and filed that the defendant E. N. Reese is not a resident of the State of Virginia, it is ordered that he do appear here within 15 days after due publication hereof, and do what may be necessary to protect his interest in this suit. And it is further ordered that a copy hereof be published once a week for four week's in some newspaper, and that a copy be forthwith posted at the front door of the court-house of this county.

A copy—Teste:

E. H. Pennington p. q. J. A. G. Hyatt Clerk.

Rebecca S. Reed

vs

Order Rule

Edward H. Reed

I certify that I delivered an office copy of this order to the Republican for Pub on the 27th Jany 1890 and posted a like copy thereof on the front door of Lee County Court House on the first day of February County Court Jan 1890.

J. A. S. Hyatt

The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

We Command You to Summon

Edward N. Reese

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in February next, being rule day to answer a bill in Chancery exhibited in our said Court against Same by Rebecca S. Reese

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse. This 27 day of January 1882, in the 114 year of the Commonwealth.

J. A. G. Hyatt *Clerk.*

A Copy Teste

Rebecca S. Reese

vs

Spainhey

Edward N. Reese

Lo 1st Feby Rules 1870

Not executed the deft. being a non resident.

A. B. Murray S. C. C.

To Edward N. Reese:--TAKE NOTICE, That on the 1st day of March, 1890 at the Circuit Court Clerk's Office of Lee Co., Va., I will proceed to take the deposition of J. N. Redwine, H. T. Parsons and S. L. Redwine, which, when taken, I intend to be read as evidence on my behalf in a certain suit in chancery now pending in the Circuit Court of Lee County, State of Virginia in which I am plaintiff and you are defendant.

And if from any cause the same be not commenced, or if commenced, be not concluded on that day, the taking thereof will be adjourned from time to time, and place to place, until completed.

January 27, 1890.

Very Respectfully,

Rebecca S. Reese.

VIRGINIA—In the Clerk's Office of the Circuit Court of the County of Lee on the 27th day of Jan. 1890.

Rebecca S. Reese, Plff.
vs. } In Cha'y.
Edward N. Reese, Deft.

The object of this suit is to obtain a divorce from the bonds of matrimony, from the deft and he will take notice that on the 19th of Feb. 1890 at the residence of Solomon Wells in Wise County, Va., plaintiff will take depositions of witnesses to prove the allegations of her bill.

And an affidavit having been made and filed that the defendant E. N. Reese is not a resident of the State of Virginia it is ordered that he do appear here within 15 days after due publicantion hereof and do what may be necessary to protect his interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in some newspaper, and that a copy be forthwith posted at the front door of the court house of this county. A copy—Teste:

J. A. G. HYATT, Clerk.

E. W PENNINGTON, P. Q. 2-27

I, Geo. W. Blankenship, Editor of the LEE COUNTY REPUBLICAN, a weekly newspaper, published in the town of Jonesville, and county of Lee, do certify that the foregoing Order of Publication was duly published in the above named paper for four successive weeks ending Feb. 22, 1890.

Geo. W. Blankenship,

Editor *Lee County Republican.*

Rebecca S. Reese

vs

Edward N. Reese

Filed Feby 24 1890.

J. A. C. Hyatt C

Pr's fee $5.00

Rec'd payment in full

April 15, 1890.

J. A. C. Hyatt

Pub. Rec Co. Republican